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Of Attorneys for United States

FILED 09 APR 15 12 03 PM 09

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

IN THE MATTER OF THE )  
APPLICATION OF THE UNITED )  
STATES OF AMERICA FOR AN ORDER )  
AUTHORIZING THE DISCLOSURE OF )  
TELECOMMUNICATIONS RECORDS )  
FOR CELLULAR TELEPHONE )  
NUMBER (503) 431-9309 )  
\_\_\_\_\_ )

Misc. No.

09-mc-9099

**APPLICATION**

**(UNDER SEAL)**

Fred W. Slaughter, Assistant United States Attorney for the District of Oregon, hereby applies to this court for an order, pursuant to Title 18, United States Code, Section 2703(d), directing Cricket Communications to provide to agents of the Federal Bureau of Investigation (FBI), the following transactional records for the period from 12:00 a.m. on March 20, 2009, through and including March 24, 2009, at 11:59 p.m., pertaining to cellular telephone number **(503) 431-9309**:

- (a) Cell site activation, including mobile switching office (MSO) cell site and sector address;
- (b) Signaling information;

- (c) A listing of all control channels and their corresponding cell sites;
- (d) Subscriber, electronic serial number (ESN) and billing information for the specified cellular/wireless telephone, cell personal communicator systems (PCS);
- (e) An engineering map, showing all cell site tower locations, sectors, and orientations; and
- (f) Subscriber, electronic serial number (ESN), mobile identification number (MIN) and international mobile subscriber identifier (IMSI) and billing information for any other cellular/wireless telephones on this account or that may be identified from these records.

In support of this application, Assistant United States Attorney Fred W. Slaughter, states the following:

1. Applicant is an attorney for the government as defined in Rule 54(c) of the Federal Rules of Criminal Procedure, and, therefore, pursuant to Section 2703(d) of Title 18, United States Code, may apply for disclosure of telecommunications records.

2. Applicant certifies that the FBI is conducting a criminal investigation of Soren Korzybski, aka Soren Raney, in connection with violations of Title 18, United States Code, Sections 371 and 2113(a) (conspiracy to commit bank robbery) and Title 18, United States Code, Section 2113 (bank robbery). It is believed that the subject of the investigation has used cellular telephone number (503) 431-9309 in furtherance of those offenses, and that there are specific and articulable facts showing there are reasonable grounds to believe that the cellular site information sought is relevant and material to the ongoing criminal investigation. This application and the information contained herein is based upon the attached affidavit of FBI Special Agent Matthew W. Furnia which is incorporated herein by this reference.

3. Applicant requests that this court issue an order pursuant to Title 18, United States Code, Section 2703(d) directing Cricket Communications to provide the requested records to agents of the FBI.

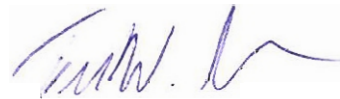
4. Applicant further requests that, to enable agents of the FBI to utilize the information requested herein and to facilitate the use of such information, the court's order also direct that all records be provided in hard-copy and electronic format as specified by agents of the FBI.

5. Applicant further requests that this application, the attached affidavit, and any resulting order be sealed until such time as the court orders otherwise, since disclosure at this time would seriously jeopardize the investigation. Applicant further requests this court order Cricket Communications, its agents and employees not to disclose to the subscriber, or any other person, the existence of the order or of this investigation, unless otherwise ordered by this court.

6. Applicant further requests that the Clerk of the Court provide applicant with two certified copies of said order.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief, and that this declaration was executed on this 15<sup>th</sup> day of April 2009, at Portland, Oregon.

KARIN J. IMMERGUT  
United States Attorney



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**FRED W. SLAUGHTER**  
Assistant United States Attorney

County of Multnomah

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ss. AFFIDAVIT OF MATTHEW W. FURNIA

I, Matthew W. Furnia, being first duly sworn, depose and state:

1. I am a Special Agent ("SA") of the Federal Bureau of Investigation ("FBI") and have been so employed for seventeen months. I am currently assigned to the Portland, Oregon, office of the FBI, where I investigate violations of federal laws, including Title 18, United States Code, Section 2113(a), Bank Robbery, and other violations of federal law. I have received training regarding the enforcement of federal laws including the topics of bank robbery, fraud, and narcotics. I have also acquired knowledge and information about bank robberies and the various means and methods by which it is furthered from numerous other sources, including: formal and informal training, other law enforcement officers and investigators, informants, persons whom I have arrested and/or interviewed, and my participation in numerous other investigations.

PURPOSE OF THIS AFFIDAVIT

3. This affidavit is submitted in support of an application for a court order authorizing the acquisition of stored cell site information for the period from 12:00 a.m. on March 20, 2009, through and including March 24, 2009, at 11:59 p.m., pertaining to cellular telephone number (503) 431-9309, issued by Cricket (the "Subject Telephone Number").

4. The information contained within this affidavit is based upon my training and experience, my personal knowledge of the investigation conducted in the matter, information provided by other agents and law enforcement officers who have assisted in this investigation and their own investigation, and my examination of evidence collected to date. This affidavit is

intended to demonstrate there are specific and articulable facts showing there are reasonable grounds to support the issuance of the court order authorizing the acquisition of stored cell site information for the period from 12:00 a.m. on March 20, 2009, through and including March 24, 2009, at 11:59 p.m., for the Subject Telephone Number as requested herein and does not purport to set forth all of the information that I have acquired during the course of this investigation

### SUMMARY OF INVESTIGATION

#### Background of Investigation and Indictment

5. On April 2, 2009, the Honorable United States Magistrate Judge Donald C. Ashmanskas, District of Oregon, signed a search warrant in case number 09-MC-9085 (the "April 2, 2009, search warrant") authorizing a search of a residence located at 3404 19th Avenue, Apartment 207, Forest Grove, Oregon 97116 (the "Subject Premises"). A copy of the April 2, 2009, application and affidavit for search warrant is attached hereto as Exhibit "1", and is hereby incorporated by reference.

6. On or about April 7, 2009, a federal grand jury returned a two-count indictment charging SOREN DAVIS KORZYBSKI ("KORZYBKS") with conspiracy to commit bank robbery, in violation of Title 18, United States Code, Sections 371 and 2113(a), and bank robbery, in violation of Title 18, United States Code, Section 2113(a) (the "indictment"). A copy of the indictment is attached hereto as Exhibit "2", and is hereby incorporated by reference.

#### Events Connecting KORZYBSKI with the Subject Telephone Number

7. On March 30, 2009, during my interview with KORZYBSKI, which is referenced in paragraph 6(g) and 6(g)(I) of Exhibit "1", KORZYBSKI provided Task Force Agent Tony Christensen with a cellular telephone number of (503) 431-9309, that is, the Subject

Telephone Number. During the interview I provided KORZYBSKI with my business card which contained my work telephone number.

8. On April 3, 2009, I received a telephone call from the Subject Telephone Number on my work telephone number. The telephone call from the Subject Telephone Number resulted in a voicemail message being left. When I listened to the voicemail message, I learned that the caller identified himself as "Soren" and I recognized the voice as being KORZYBSKI based on my interview with him on March 30, 2009. During the message, KORZYBSKI asked me to call him and that I already had his telephone number. On or about April 6, 2009, I returned KORZYBSKI's phone call by calling the Subject Telephone Number and left a message on the Subject Telephone Number when no one answered. Thereafter, I received a call from the Subject Telephone Number and recognized the caller's voice as KORZYBSKI's. I then had a conversation with KORZYBSKI which included the topics of KORZYBSKI's grandfather's death, the fact that the April 2, 2009, search warrant had been served at the Subject Premises, and KORZYBSKI's request for a surrender date if he was going to be arrested.

9. The general geographic location of the Subject Telephone Number derived from stored cell site information used by the Subject Telephone number can be used to corroborate the observations of witnesses involved in the case. More specifically, law enforcement agents can compare physical observations of the user of the Subject Telephone Number reported by witnesses, which I believe is KORZYBSKI based on the facts contained in this affidavit, with stored cell site information in order to verify the identification and location of the user of the Subject Telephone Number. Knowing the geographic location of the Subject Telephone Number via the stored cell site records can help to corroborate the location of KORZYBSKI and



any other co-conspirators during the conduct charged in the indictment. Based on my training and experience, and talking with other experienced law enforcement officials familiar with bank robbery investigations, I know that individuals that commit bank robberies and participate in conspiracies to commit bank robberies often use cellular telephones to assist in coordinating the events prior to, during, and after the bank robbery.

10. Based upon the preceding information and my investigative experience, I believe that KORZYBSKI, and others as yet unknown, engaged in criminal acts on March 20, 2009, violating Title 18, United States Code, Sections 371 and 2113(a), conspiracy to commit bank robbery, and Title 18, United States Code, Section 2113(a), bank robbery. I further believe that the Subject Telephone Number has been used by KORZYBSKI and others as yet unknown, to conduct their criminal activities charged in the indictment.

11. I further believe that information concerning the aforementioned offenses will be obtained upon the discovery of the locations of the Subject Telephone Number during the dates requested.

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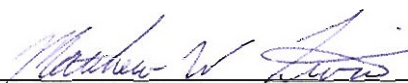
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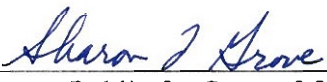
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12. Furthermore, based upon my knowledge, training, and experience, it is my belief that the information contained in this affidavit, if prematurely disclosed to the public, could result in the target's flight from prosecution, destruction of or tampering with evidence, intimidation of potential witnesses, or otherwise seriously jeopardize the ongoing investigation. Therefore, I request that this affidavit be sealed and notification to the public be delayed until otherwise ordered by the court.

  
MATTHEW W. FURNIA  
Special Agent  
Federal Bureau of Investigation  
Portland, Oregon

SUBSCRIBED AND SWORN to before me this 15<sup>th</sup> day of April 2009.



  
Notary Public for State of Oregon  
My Commission Expires: 2/4/13



AO106 (Rev. 12/03) Affidavit for Search Warrant

## UNITED STATES DISTRICT COURT

DISTRICT OF

OREGON

## In the Matter of the Search of

(Name, address or brief description of person, property or premises to be searched)

The premises described as 3404 19th Avenue, Apartment  
207, Forest Grove, Oregon 97116 (the "SUBJECT  
PREMISES")

APPLICATION AND AFFIDAVIT  
FOR SEARCH WARRANT

Case Number:

09-MC-9085

I, Special Agent Matthew W. Furnia being duly sworn depose and say:I am a(n) Special Agent, Federal Bureau of Investigation and have reason to believe  
Official Titlethat ☐ on the person of or ☒ on the property or premises known as (name, description and/or location)

See Attachment A, attached hereto and incorporated herein by reference

in the \_\_\_\_\_ District of Oregon

there is now concealed a certain person or property, namely (describe the person or property to be seized)

See Attachment B, attached hereto and incorporated herein by reference

which is (state one or more bases for search and seizure set forth under Rule 41(c) of the Federal Rules of Criminal Procedure)

Evidence of the crime of bank robbery

concerning a violation of Title 18 United States code, Section(s) 2113(a)

The facts to support a finding of probable cause are as follows:

See Attached Affidavit of Special Agent Matthew W. Furnia

Certified to be a true and correct  
copy of original filed in this District.Dated 4/13/09Mary L. Moran, Acting Clerk of Court  
US District Court, of OregonBy Deputy Clerk [Signature]Pages 1Through 17

Continued on the attached sheet and made a part hereof:

☒ Yes☐ No

[Signature]  
Signature of Affiant

Sworn to before me and subscribed in my presence,

April 2, 2009  
Date

at

PORTLAND

City

OR

State

DONALD C. ASHMANSKAS, U.S. MAGISTRATE JUDGE

Name of Judge

Title of Judge

[Signature]  
Signature of Judge

EXHIBIT "1"

STATE OF OREGON            )  
                                  )       ss.   AFFIDAVIT OF MATTHEW W. FURNIA  
County of Multnomah    )

I, Matthew W. Furnia, being first duly sworn, depose and state the following:

1.    I am a Special Agent ("SA") of the Federal Bureau of Investigation ("FBI") and have been so employed for seventeen months. I am currently assigned to the Portland, Oregon, office of the FBI, where I investigate violations of federal laws, including Title 18, United States Code, Section 2113(a), Bank Robbery.

2.    This affidavit is submitted in support of an application for a search warrant authorizing the search of 3404 19th Avenue, Apartment 207, Forest Grove, Oregon 97116 (the "SUBJECT PREMISES"), more fully described in Attachment A of this affidavit, which is incorporated herein by this reference, that I believe is the residence of SOREN DAVIS KORZYBSKI ("KORZYBSKI"), in the District of Oregon, and the seizure of evidence, contraband, fruits, and instrumentalities of violations of Title 18, United States Code, Sections 2113(a), bank robbery, more fully described in Attachment B of this affidavit, which is incorporated herein by this reference.

3.    The information contained within this affidavit is based upon my training and experience, my personal knowledge of the investigation conducted in the matter, information provided

by other agents and law enforcement officers who have assisted in this investigation and their own investigation, and my examination of evidence collected to date. This affidavit is intended to provide probable cause to support the issuance of the search warrant as requested herein and does not purport to set forth all of the information that I have acquired during the course of this investigation.

PREMISES TO BE SEARCHED

4. The SUBJECT PREMISES is described in ATTACHMENT A, and is described as follows:

a. The SUBJECT PREMISES is located at 3404 19th Avenue, Apartment 207, Forest Grove, Oregon. The SUBJECT PREMISES is a unit located in the Laurel West Condominium complex which is located at the southeast corner of 19th Avenue and Oak. The SUBJECT PREMISES is located on the second story of the two-story complex. The SUBJECT PREMISES is painted gray with blue trim. The SUBJECT PREMISES has a blue front door with the numbers "207" in blue color to the right of the front door.

ITEMS TO BE SEIZED

5. The items to be seized from the SUBJECT PREMISES that are evidence of the crime of bank robbery, in violation of Title 18 U.S.C. Section 2113(a), are described in ATTACHMENT B and are as follows:

a. Weapons, firearms and their ammunition, replica

firearms, and receipts demonstrating the purchase and/or transfer of weapons and their ammunition, and replica firearms;

b. Maps, documents, and diagrams relating to planning a bank robberies;

c. Identification, papers, and receipts showing purchases and/or ownership and occupancy of the SUBJECT PREMISES;

d. Disguises and clothing, including wigs, eyeglasses, sunglasses, baseball and knit hats, caps, jackets, sweatshirts, motorcycle helmets, gloves, pants, footwear, masks, scarves, and other items used to conceal one's identity;

e. Indicia of recent travel relating to bank robberies;

f. Indicia of the planning and/or execution of bank robberies stored on media such as computer floppy disks, zip drives, compact disks, tape backups, hard disk drives, flash memory, secure digital memory, memory chips, and handheld cellular telephones and other small forms of removable media commonly used in handheld devices or cameras;

g. Trace evidence including dye;

h. United States currency, electronic tracking devices, dye packs, exploded dye packs, cash straps, and bank envelopes and bags;

i. Bank statements and receipts indicating cash deposits and large purchases, respectively;

j. Correspondence between KORZYBSKI and co-conspirators regarding the disposition of bank robbery proceeds.

STATEMENT OF PROBABLE CAUSE AND EVIDENCE CONNECTING KORZYBSKI TO THE SUBJECT PREMISES

6. I have personally conducted an investigation into the bank robbery on March 20, 2009, at approximately 1:30 p.m., at the Bank of the West located at 18685 SW Tualatin Valley Highway, Aloha, Oregon ("Bank of the West") mentioned in the paragraphs that follow. During the course of this investigation I have spoken with victim tellers, private citizens, other investigators, and police officers familiar with this investigation and have reviewed law enforcement reports. As a result, I have become aware of the following information:

March 20, 2009

a. On Friday, March 20, 2009, at approximately 1:30 p.m., a robbery occurred at the Bank of the West located at 18685 SW Tualatin Valley Highway, Aloha, Oregon. A white male subject (the "robber") entered Bank of the West. The robber's entrance into Bank of the West caught the attention of the Bank of the West's financial service officer ("financial service officer") because the robber was wearing "goofy" clothing and was acting suspicious. The robber was described as a white male adult, approximately 5'10" tall, weighing approximately 200 pounds, between 25-40 years of age. The robber had shoulder-length brown

hair and was wearing large-framed glasses, a charcoal grey "beanie"-style hat, and a grey Hurley-brand, "hoodie"-style sweatshirt. The victim teller greeted the robber as the robber entered Bank of the West. The robber did not respond to the victim teller's greeting, and approached the victim teller's window with both of the robber's hands in the front pocket of the robber's sweatshirt.

b. Upon reaching the victim teller's window, the robber said, "Twenties, fifties, hundreds." The victim teller activated the bank's alarm system and said, "I'm sorry?" In a raised voice, the robber responded, "Twenties, fifties, and hundreds, right now!" The victim teller opened her bank drawer, removed each denomination from the drawer, and spread the money on the counter in front of the teller window. The robber then asked the victim teller about a second bank drawer. The victim teller told the robber that the victim teller did not have a second drawer. The robber then gathered the money from the counter, placed the money in the front pocket of the robber's sweatshirt, and exited Bank of the West. As the robber was exiting Bank of the West, the robber looked at the financial service officer (who had seen the robber when the robber first entered Bank of the West, as mentioned above in paragraph 6(a)). The victim teller observed the robber running north through the parking lot of Bank of the West in the direction of a nearby



Little Caesar's pizza restaurant located nearby. The victim teller told the financial service officer that the victim teller had just been robbed by the robber. The financial service officer exited Bank of the West and began to follow the robber.

c. The financial service officer followed the robber as the robber proceeded north through the parking lot of Bank of the West. As the robber reached the north end of the parking lot, the robber ran by the driver's side window of an older model, silver in color, BMW, which the financial service officer observed had an Oregon license plate of XFA 930 (the "BMW"), and had its engine running. The financial service officer saw what appeared to be a young male in the driver's seat of the BMW. As the robber ran past the driver's side of the BMW, financial service officer observed that the robber appeared to slow down and say something to the driver of the BMW. The robber then continued eastbound on SW Alexander Street and turned north into a small apartment complex located in the vicinity of 18569-18577 SW Alexander Street. The financial service officer saw the driver of the BMW look back at the financial service officer before driving eastbound on SW Alexander Street and then turning into the apartment complex located in the vicinity of 18569-18577 SW Alexander Street. The financial service officer then returned to Bank of the West. An audit of Bank of the West revealed that the robber had obtained approximately \$732.00 during the bank



robbery. In addition, at the time of the robbery, Bank of the West was insured by the Federal Deposit Insurance Corporation.

d. After the robbery at Bank of the West occurred, Washington County Sheriff's Department deputies learned from the financial service officer about the license plate number of the BMW. Based on the license plate information on the BMW, a member of the Washington County Sheriff's Department ran Department of Motor Vehicles ("DMV") records with regard to the BMW. DMV records revealed that Oregon license plate XFA 930 belonged to a 1993 silver BMW. The records also revealed that the registered owner of the BMW was KORZYBSKI, and that KORZYBSKI was a white adult male, with a date of birth of XX-XX-1983, was 6'00" tall, weighed 220 pounds, and had a residence address of 3404 19th Avenue, Apartment 207, Forest Grove, Oregon, that is, the SUBJECT PREMISES. Based on the information from the DMV regarding the BMW, law enforcement units established surveillance on the SUBJECT PREMISES a short period of time after the robbery of Bank of the West. Law enforcement surveillance remained at the SUBJECT PREMISES for several hours. Thereafter, law enforcement conducted surveillance intermittently for the next few days. However, during the surveillance of the SUBJECT PREMISES, law enforcement did not observe the BMW come to the SUBJECT PREMISES.

e. On March 20, 2009, I learned that KORZYBSKI was currently assigned a parole officer. From talking to other law

enforcement officials, I learned that KORZYBSKI's parole officer said that KORZYBSKI's listed residence address was 3404 19th Avenue, Apartment 207, Forest Grove, Oregon, that is, the SUBJECT PREMISES. I learned from KORZYBSKI's parole officer that KORZYBSKI was currently on parole for a previous Assault III charge, and was due to report to the parole officer the following week. KORZYBSKI's parole officer further informed me that KORZYBSKI had not met the conditions of KORZYBSKI's parole and that the parole officer planned on arresting KORZYBSKI the following week if KORZYBSKI reported as scheduled. The parole officer was aware that KORZYBSKI's parents lived in Bellingham, Washington, and said that KORZYBSKI may have driven to his parent's residence.

March 24, 2009

f. On or about March 24, 2009, law enforcement officials observed the BMW at the SUBJECT PREMISES. Thereafter, on March 24, 2009, KORZYBSKI reported to his appointment with his parole officer and was subsequently arrested for failing to comply with the conditions of KORZYBSKI's parole. KORZYBSKI was booked into the Washington County Jail and the BMW was seized and secured by the Washington County Sheriff's Office.

March 30, 2009

g. On Monday, March 30, 2009, FBI Task Force Officer ("TFO") Tony Christensen and I met with KORZYBSKI at the

Washington County Jail. I read KORZYBSKI his *Miranda* rights which KORZYBSKI indicated that he understood and KORZYBSKI agreed to speak with TFO Christensen and I after executing a written *Miranda* waiver. In summary, the following occurred during the interview:

1. At the onset of the interview, KORZYBSKI stated a desire to stop going to jail once KORZYBSKI was released for the parole violation. When asked by SA Furnia if KORZYBSKI had any idea why the FBI would be interested in speaking with KORZYBSKI, KORZYBSKI said, "Why don't you show me what you have?" When asked by SA Furnia if KORZYBSKI was willing to cooperate and speak with SA Furnia about the bank robbery at the Bank of the West, KORZYBSKI stated that KORZYBSKI wanted to speak with SA Furnia, but did not trust law enforcement officials, and would be more willing to speak with SA Furnia outside of jail. KORZYBSKI explained to SA Furnia that KORZYBSKI was being evicted and that if KORZYBSKI were allowed to be released from jail on the parole violation in order to deal with being evicted, KORZYBSKI would be more willing to talk with investigators. KORZYBSKI further explained that KORZYBSKI "has never run from anything" and would face whatever situation KORZYBSKI was now facing. During the course of the interview, KORZYBSKI inquired of SA Furnia, "What am I facing here? Five years?" During the interview, KORZYBSKI also granted consent to search the BMW.

h. On March 30, 2009, TFO Christensen and I conducted a search of the BMW pursuant to the consent that KORZYBSKI granted us mentioned above in paragraph 6(g)(i). During the search of the BMW, TFO Christensen and I did not locate any evidence relating to the March 20, 2009, robbery at the Bank of the West.

i. After the interview of KORZYBSKI and the consent search of the BMW, TFO Christensen and I conducted a photographic lineup with the financial service officer from Bank of the West who had followed the robber on March 20, 2009. After viewing the photographic lineup, the financial service officer said that the individual in Position #4 of the lineup resembled the bank robber. The financial service officer stated that the ears, double chin, the lower half of the mouth, the round nose, and the overall face of the person depicted in Position #4 were the same as those of the robber. The financial service officer stated that the person depicted in Position #4 did not have the long hair or the large-framed glasses that the robber wore. The person depicted in Position #4 of the lineup was KORZYBSKI. The victim teller from the robbery of the Bank of the West on March 20, 2009, was also shown the photographic lineup but stated that the photograph of the robber was not in the photographic lineup.

PROBABLE CAUSE FOR ITEMS TO BE SEIZED

7. Based on my training and experience, interviewing bank

robbery suspects, and talking with other experience law enforcement officials familiar with bank robberies, I know that persons who rob banks often use their residences, such as the SUBJECT PREMISES, in this investigation, to keep evidence of planning and the instrumentalities needed for the execution and circumstances following a bank robbery, and may keep items used or that were planned to be used in a robbery including weapons, firearms and their ammunition, replica firearms, and receipts demonstrating the purchase and/or transfer of weapons and their ammunition, and replica firearms; maps, documents, and diagrams relating to planning bank robberies; identification, papers, and receipts showing purchases and/or ownership and occupancy of the SUBJECT PREMISES; disguises and clothing, including wigs, sunglasses, eyeglasses, baseball and knit hats, caps, jackets, sweatshirts, gloves, pants, footwear, and other items used to conceal one's identity; indicia of recent travel relating to bank robberies; indicia of the planning and/or execution of bank robberies stored on media such as computer floppy disks, zip drives, compact disks, tape backups, hard disk drives, flash memory, secure digital memory, memory chips, and handheld cellular telephones and other small forms of removable media commonly used in handheld devices or cameras; fingerprints, palm prints, and other trace evidence; United States currency, electronic tracking devices, dye packs, exploded dye packs, cash

straps, and bank envelopes and bags; bank statements and receipts indicating cash deposits and large purchases, respectively. I also know that robbers will often keep correspondence with co-conspirators in their residences concerning the planning and execution of bank robberies.

CONCLUSION

8. Based on my investigation into the Bank of the West robbery on March 20, 2009, including the identification of KORZYBSKI by the financial services officer and sighting of the BMW at the crime scene, and all of the facts set forth in this affidavit, I believe that KORZYBSKI is the person who robbed Bank of the West on March 20, 2009.

9. I have discussed the requested search warrant, the accompanying application, and this affidavit in this case with Assistant United States Attorney ("AUSA") Fred W. Slaughter. AUSA Fred W. Slaughter informed me that in his opinion, this affidavit is legally and factually sufficient to support the issuance of the requested warrant for the SUBJECT PREMISES.

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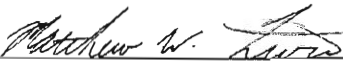
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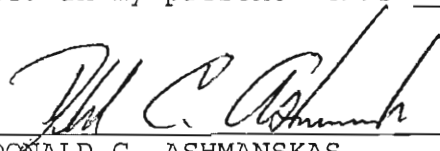
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10. Based on the foregoing facts and my training, education, and experience there is probable cause that evidence of a violation of Title 18, United States Code, Section 2113(a), bank robbery, will be found at the SUBJECT PREMISES.

  
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MATTHEW W. FURNIA  
Special Agent  
Federal Bureau of Investigation

Sworn to before me and subscribed in my presence this 2 day of April, 2009.

  
\_\_\_\_\_  
DONALD C. ASHMANSKAS  
UNITED STATES MAGISTRATE JUDGE



ATTACHMENT A

PREMISES TO BE SEARCHED

The premises to be searched for evidence of violations of Title 18, United States Code, Sections 2113(a), bank robbery, is located at 3404 19th Avenue, Apartment 207, Forest Grove, Oregon 97116 (the "SUBJECT PREMISES") and is described as follows:

a. The SUBJECT PREMISES is located at 3404 19th Avenue, Apartment 207, Forest Grove, Oregon. The SUBJECT PREMISES is a unit located in the Laurel West Condominium complex which is located at the southeast corner of 19th Avenue and Oak. The SUBJECT PREMISES is located on the second story of the two-story complex. The SUBJECT PREMISES is painted gray with blue trim. The SUBJECT PREMISES has a blue front door with the numbers "207" in blue color to the right of the front door.

ATTACHMENT B

ITEMS TO BE SEIZED

The items to be seized from 3404 19th Avenue, Apartment 207, Forest Grove, Oregon 97116 (the "SUBJECT PREMISES"), for evidence of violations of Title 18, United States Code, Section 2113(a), bank robbery, are described as follows:

- a. Weapons, firearms and their ammunition, replica firearms, and receipts demonstrating the purchase and/or transfer of weapons and their ammunition, and replica firearms;
- b. Maps, documents, and diagrams relating to planning bank robberies;
- c. Identification, papers, and receipts showing purchases and/or ownership and occupancy of the SUBJECT PREMISES;
- d. Disguises and clothing, including wigs, eyeglasses, sunglasses, baseball and knit hats, caps, jackets, sweatshirts, motorcycle helmets, gloves, pants, footwear, masks, scarves, and other items used to conceal one's identity;
- e. Indicia of recent travel relating to bank robberies;
- f. Indicia of the planning and/or execution of bank robberies stored on media such as computer floppy disks, zip drives, compact disks, tape backups, hard disk drives, flash memory, secure digital memory, memory chips, and handheld cellular telephones and other small forms of removable media

commonly used in handheld devices or cameras;

g. Trace evidence including dye;

h. United States currency, electronic tracking devices, dye packs, exploded dye packs, cash straps, and bank envelopes and bags;

i. Bank statements and receipts indicating cash deposits and large purchases, respectively;

j. Correspondence between SOREN DAVIS KORZYBSKI and co-conspirators regarding the disposition of bank robbery proceeds.

Certified to be a true and correct  
copy of original filed in this District.

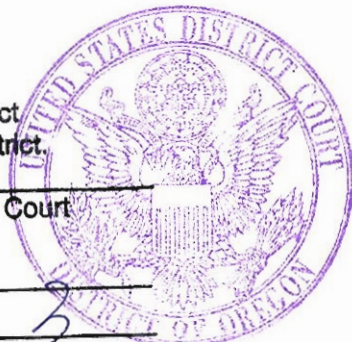
Dated 4/13/09

Mary L. Moran, Acting Clerk of Court

US District Court of Oregon

By Deputy Clerk M. L. Moran

Pages 1 Through 3



FILED 09 APR 07 11:30 USDC-ORP

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA

No. CR 09- 132-BR

v.

INDICTMENT

SOREN DAVIS KORZYBSKI,

a.k.a. Soren David Raney,

18 U.S.C. § 371

18 U.S.C. § 2113(a)

Defendant.

THE GRAND JURY CHARGES:

COUNT ONE (Conspiracy)

Beginning on a date unknown, and continuing to on or about March 20, 2009, in the District of Oregon, **SOREN DAVIS KORZYBSKI, a.k.a. Soren David Raney** ("KORZYBSKI"), and others known and unknown to the Grand Jury, did unlawfully, wilfully, knowingly and intentionally combine, conspire, confederate and agree together and with each other to commit an offense against the United States, that is, by force, violence or intimidation, unlawfully and knowingly take from the presence of employees of Bank of the West, 18685 SW TV Highway, Aloha, Oregon ("Bank of the West"), approximately \$732.00 in United States currency, which money was then and there in the care, custody, control, management, and possession of Bank fo the West, whose deposits were insured by the Federal Deposit Insurance Corporation, in violation of Title 18, United States Code, Sections 371 and 2113(a).

EXHIBIT "2"

### **OVERT ACTS**

In furtherance of this conspiracy and to effect and accomplish the objects of it, one or more of the co-conspirators committed one or more of the following overt acts in the District of Oregon:

1. During the course of the conspiracy, **KORZYBSKI** and a co-conspirator traveled to the area of Bank of the West, on March 20, 2009.
2. During the course of the conspiracy, **KORZYBSKI** entered Bank of the West and **KORZYBSKI** robbed Bank of the West.
3. During the course of the conspiracy, a co-conspirator waited for **KORZYBSKI** in **KORZYBSKI**'s BMW automobile, bearing Oregon license plate number XFA 930 (the "BMW"), in a parking lot located near Bank of the West, while **KORZYBSKI** robbed Bank of the West.
4. During the course of the conspiracy, **KORZYBSKI** exited Bank of the West after committing the robbery, spoke with the co-conspirator at the BMW; then **KORZYBSKI** walked to a nearby apartment complex and the co-conspirator drove the BMW to the same apartment complex.

### **COUNT 2 (Bank Robbery)**

On or about March 20, 2009, in the District of Oregon, **SOREN DAVIS KORZYBSKI**, **a.k.a. Soren David Raney ("KORZYBSKI")**, defendant herein, did by force, violence or intimidation, unlawfully and knowingly take from the presence of employees of Bank of the West, 18685 SW TV Highway, Aloha, Oregon, approximately \$732.00 in United States currency, which money was then and there in the care, custody, control, management, and  
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possession of Bank of the West, whose deposits were insured by the Federal Deposit Insurance Corporation; all in violation of Title 18, United States Code, 2113(a).

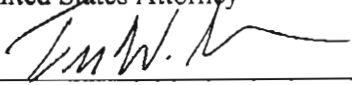
Dated this 7 day of April 2009.

A TRUE BILL,

  
  
OFFICIATING FOREPERSON

Presented by:

KARIN J. IMMERGUT  
United States Attorney

  
FRED W. SLAUGHTER  
Assistant United States Attorney